

Appin No. 10/815,632
Amdt. Dated June 9, 2006
Response to Office Action of May 16, 2006

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REMARKS/ARGUMENTS

The Applicant thanks the Examiner for the Office Action dated May 16, 2006.

Specification Amendment

The Applicant has updated paragraph at page 104 to show all corresponding US application numbers (as they are now available) and their respective titles. The Applicant submits that this amendment introduces no new matter.

Claim Amendments

All independent claims (claims 1, 33, 35 and 36) have been amended to specify that "sensing any one individual coded data portion allows the identity of the product item to be determined".

Claim Rejections - 35 USC § 102 & 103

The Applicant does not agree with the Examiner's reasoning (paragraph 8 of the recent Office Action) for maintaining that the claims are anticipated by Kawai. The broad interpretation of "one" proposed by the Examiner is not the plain meaning of this word (see MPEP 2111.01).

Nevertheless, in deference to the Examiner's maintained rejection, claim 1 has been amended to specify that "sensing any one individual coded data portion allows the identity of the product item to be determined", in accordance with the Examiner's suggestion at paragraph 8 of the recent Office Action.

It is submitted that Kawai fails to teach or suggest coded data according to the present invention. In this regard, the Examiner is requested to refer to the arguments presented in the Applicant's response (pages 10-13) dated March 6, 2006. With the scope of the claims clarified beyond any doubt, the Examiner is requested to reconsider the relevance of these previously filed remarks.

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It is respectfully submitted that all of the Examiner's objections have been successfully traversed. Accordingly, it is submitted that the application is now in condition for allowance. Reconsideration and allowance of the application is courteously solicited.

Very respectfully,

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